

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

8-1-99/LA

The Goa Barge Tax (Amendment) Ordinance, 1999 (Ordinance No. 1 of 1999), which has been promulgated by the Governor of Goa on 21-1-1999, is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 27th January, 1999.

THE GOA BARGE TAX (AMENDMENT) ORDINANCE, 1999

(ORDINANCE No. 1 OF 1999)

Promulgated by the Governor of Goa in the Forty-ninth Year of the Republic of India.

An Ordinance to amend the Goa, Daman and Diu Barge Tax Act, 1973.

Whereas the Legislature of the State of Goa is not in session and the Governor is satisfied that the circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Barge Tax (Amendment) Ordinance, 1999.

(2) It shall come into force at once.

2. *Amendment of Schedule.*— For the Schedule to the Goa, Daman and Diu Barge Tax Act, 1973 (Act 10 of 1973), the following Schedule shall be substituted, namely:—

"SCHEDULE

(See section 3)

Capacity of barge	Maximum annual rate per ton
(a) Less than 650 tons.	Rs. 44.00
(b) 650 tons & less than 1000 tons.	Rs. 60.00
(c) 1000 tons & less than 1500 tons.	Rs. 75.00
(d) 1500 tons and above.	Rs. 100.00

Note: When tax is not paid for the whole year at a time, but is paid for one or more quarters at a time, the tax so payable for each quarter shall be an amount equal to one-fourth of the annual tax plus ten percent of that amount."

Lt. Gen J. F. R. Jacob, PVSM (RETD)
Governor of Goa.

Dated: 21-1-1999.

Department of Power

Office of the Chief Electrical Engineer

Notification

152/2/CEE/TECH/3057

In exercise of the powers conferred by section 57 read with sub-section (2) of section 19 of the Electricity Regulatory Commissions Act, 1998 (No. 14 of 1998), the Government of Goa hereby makes the following rules namely:—

1. *Short title and commencement*.— (1) These rules may be called the Goa Electricity Regulatory Commission (Salary, allowances and other terms and conditions of service of the Chairman and Members) Rules, 1998.

•(2) They shall come into force at once.

2. *Definitions*.— In these rules, unless the context otherwise requires.—

(a) "Chairperson" means the "Chairperson" of the Goa Electricity Regulatory Commission;

(b) "Commission" means the Goa Electricity Regulatory Commission;

(c) "Member" means the Member of the Commission and includes the Chairperson;

(d) "Act" means the Electricity Regulatory Commission Act, 1998 (No. 14 of 1998);

(e) "Service" includes,—

(i) time spent on duty as Member of the Commission including the period of training;

(ii) time allowed for joining the office of Member from a post or an office under the Union or a State; and

(iii) the number of days of leave actually availed with full allowances;

(f) Words and expressions used in these rules and not defined shall have the same meaning as assigned to them in the Act.

3. *Salary and allowances of the Chairman and Members*.— (1) The Chairperson shall receive salary in the scale of Rs.22400-600-24500 per month. The salary of members shall be decided as and when they are appointed.

(2) The Chairperson and Members shall be entitled to receive such dearness allowance and all such other allowances as are admissible to the corresponding grade officers of the Indian Administrative Service posted in the State of Goa.

(3) In case the Chairperson and Members happen to be retired Government employees, they will be considered as re-employed pensioners and their pay fixed as per the Rules applicable to re-employed pensioners under CCS Fixation of Pay of Re-employed Pensioners Order, 1986.

(4) Pay minus pension.

4. *Housing*.— The Members of the Commission shall be entitled to such rent free unfurnished Government accommodation as is admissible to corresponding grade Officers of the Indian Administrative Service posted in the State of Goa. In the event of such accommodation not being available for any reason, the Members shall be entitled to House Rent Allowance as per normal Govern-

ment Rules. Payment of water and electricity charges shall be made by the Members themselves.

5. *Transport*.— (1) Each Member shall be provided with a staff car and a driver. A Member who desires to drive his (official) car himself shall be granted an additional allowance of Rs. 2,000/- per month in lieu of the driver.

(2) The Members shall be entitled to use Government vehicle for private purpose in the same manner permissible to corresponding grade officers of the Indian Administrative Service posted in the State of Goa.

6. *Travelling allowances*.— (1) For journeys performed on duty within and outside the State of Goa or at the time of appointment/retirement, the Members shall be entitled to draw such travelling allowance and daily allowance as is admissible to the corresponding grade Officer of the Indian Administrative Service posted in the State of Goa.

(2) The Member shall also be entitled to the benefits of Home/Leave Travel Concessions as is admissible to the corresponding grade Officers of the Indian Administrative Service posted in the State of Goa.

7. *Medical*.— The Medical treatment of the Chairperson or a Member and his family shall be provided in accordance with the Rules which for the time being apply to the corresponding grade Officers of the Indian Administrative Service posted in the State of Goa.

8. *Leave*.— (1) The Chairperson and the Members shall be entitled to earned leave at the rate of 15 days for every 6 months of completed service. In addition, they shall be entitled to casual leave and other types of leave as is admissible to the corresponding grade Officers of the Indian Administrative Service posted in the State of Goa.

(2) A Member may be paid cash equivalent of leave salary and Dearness Allowance in respect of the period of earned leave at his credit at the time of conclusion of his term with the Commission subject to the following conditions, namely:—

(a) the admissibility and such payment shall be limited to a maximum period of one hundred and fifty days earned leave;

(b) the cash so admissible shall become payable on conclusion of his leave with the Commission and be paid in one lump as a one time settlement;

(c) the rate of leave salary and dearness allowance admissible under this Rule shall be the same as admissible to a Member for earned leave on the date of retirement and no Compensatory Allowance and/or House Rent Allowance shall be payable.

(3) In case the Chairperson and Members are re-employed pensioners, the admissibility of encashment of earned leave shall be regulated as per the orders applicable to State Government Employees (Rule 39-6(a)(iii) of CCS Leave Rules).

9. *Pension*.— The Chairperson/Members shall not be entitled for any pensionary benefits for the period of service rendered in the Commission. However, they may continue to draw pension, if

any, due to them from their previous employer(s) in addition to the emoluments admissible to them from the Commission. They shall not be entitled to draw any Dearness Relief on pension as long as they continue to be in the employment of the Commission as per Rule 55 of CCS Pension Rules.

10. *Gratuity.*— The Chairperson and Members shall be entitled to the benefit of gratuity at the rate of 30 days of pay for each completed year of service, provided they have completed a minimum of two years of service in the Commission. In case the Chairperson/Members are re-employed pensioners, no gratuity will be admissible.

11. *Previous employment.*— A Member, upon appointment in the Commission, shall be deemed to have resigned from the service to which he belonged even if at the date of his appointment in the Commission, he had not attained the age of superannuation.

12. *Miscellaneous.*— (1) In respect of any matter for which special provision is not made in these Rules, the conditions of service of a person serving as the Chairperson or a Member of the Commission shall be governed by the Rules and Orders for the time being applicable to Members of the Indian Administrative Service working under the Government of Goa.

(2) The salary & allowances, leave pension and other service benefits admissible to the Chairperson and Members under these Rules shall not be varied to their disadvantage during their tenure.

13. *Removal.*— A Chairperson/Member can be removed as per the provisions of the Electricity Regulatory Commissions Act, 1998.

By order and in the name of the Governor of Goa.

Rakesh Mehta, Secretary (Power).

Panaji, 27th January, 1999.

152/1/CEE/TECH/3020

Revised Policy For Power Generation

Preamble

The Government of Goa had notified a Policy for Power Generation vide No. 152/1/CEE/TECH/4701 dated 26th March, 1998, to encourage private investment in short gestation power plants that were essentially expected to supply power to industrial consumers at an investment of less than Rs. 400 crores. The study of the privatisation of the Distribution system done by Sargent and Lundy on the advice of International Finance Corporation, in June 1998 showed that there is a big demand and supply gap in the availability of power due to system constraints. They have

recommended that local generation should be done till the 400 KV line from Kolhapur to Ponda is commissioned by the Power Grid Corporation of India. The successful restructuring of the Power Department depends on the availability of good quality power, which is a part of the Common Minimum National Action Plan for Power announced by the Government of India as well as ensuring the viability of the process of restructuring. Accordingly, it is proposed to amend the policy for power generation. Based on the above study for the privatization of the transmission and distribution system, a restructuring exercise of the Department of Electricity has been initiated, involving inter-alia, the setting up of the Goa State Electricity Regulatory Commission, and the privatization of the transmission and distribution system. With these steps it is perceived that the privatized transmission and distribution entity will be capable of meeting the investments needed in the sector to ensure efficient and good quality power supply. In this context, it has become necessary to amend the policy for power generation notified in March, 1998 to harmonise the power generation policy with the restructuring process. Accordingly, in supersession of the earlier policy, the following policy is announced:—

All Companies that intend to install short gestation power plants in the State of Goa are required to take prior clearance under Section 44 of Electricity Supply Act, 1948, from the Government of Goa which would be given as per the following policy:—

1. The power plants will generate and supply power to the DOE or its successor in interest (hereinafter referred to as Transdisco);

2. Prospective investors and entrepreneurs will be selected by a competitive bidding process. The selected proposals in response to this bidding process will be issued a license as per the provisions of the relevant acts;

3. Energy generated by the power plants shall be supplied to the DOE or its successor in interest (viz. Transdisco), at the interconnection points with the existing transmission and distribution system. Any additions to the transmission network required for absorbing the additional generation will be the responsibility of DOE/Transdisco.

4. The generator will be obliged to sell the power generated to the DOE or its successor in interest. There could be preference to the generating Company buying a major portion of power generated by it at the retail rate from the grid for its own use. The DOE and the generating Company will mutually decide the prospective date for starting generation and supply to the DOE grid;

5. The rate at which the power will be supplied by the generating Company to DOE/Transdisco will be as per a Power Purchase Agreement entered into between the Government of Goa and the generating Company, which will be later assigned to the Transdisco. The PPA would be subject to regulatory scrutiny once the regulatory authority is set up.

6. Prospective investors and entrepreneurs should obtain all statutory clearance including the State Environment and Pollution Control Board.

7. The Government of Goa will recommend to the Government of India for exempting the power plant equipment from customs duty when imported. The State Government will also recommend to the Government of India for fuel allocation, if required;

8. This policy will be subject to the provisions of Section 22 of the Electricity Regulatory Commissions Act, 1998.

By order and in the name of the Governor of Goa.

Rakesh Mehta, Development Commissioner & Secretary
(Power).

Panaji, 25th January, 1999.